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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,944	08/04/2003	John Kolbjoern Roedseth	DN2003129	5204

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THE GOODYEAR TIRE & RUBBER COMPANY  
INTELLECTUAL PROPERTY DEPARTMENT 823  
1144 EAST MARKET STREET  
AKRON, OH 44316-0001

EXAMINER
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KNABLE, GEOFFREY L

ART UNIT	PAPER NUMBER
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1733

MAIL DATE	DELIVERY MODE
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08/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/633,944	<b>Applicant(s)</b> ROEDSETH ET AL.	
	<b>Examiner</b> Geoffrey L. Knable	<b>Art Unit</b> 1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) 1-4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5, 7 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-11-2007 has been entered.
2. Claims 1-4 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 10-5-2005.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claim 7 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The requirement of new claim 7 is considered to lack original descriptive support and as such represents subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, i.e. it is considered to be new matter. In particular, it is first noted that it is difficult to determine exactly what is being required by this claim insofar as no

antecedent has been established for the claimed "cone support mechanism". Reading this as being in reference to the segment support mechanism, it would not seem consistent with the original disclosure to describe this as not axially movable given that the mechanism 152 moves axially to effect the radial expansion of the segments.

5. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 7, no antecedent has been established for "the cone support mechanism", it not being clear which part of the drum is being referenced.

6. Claims 5, 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Felten et al. (US 4,239,579) or Felten (US 3,816,218 - newly cited).

Felten et al. discloses a tire building drum having a right hand side and a left hand side, the tire building drum comprising: a central screw (16); a pair of inflatable turnup bladders (70), a central segment support mechanism having a plurality of radially expandable segments (42), said segments having cam followers (120) in engagement with cam surfaces (114) of a cone mechanism, wherein the cone mechanism (i.e. piston) is actuatable independently of said central screw; and a pair of bead locks (52), each bead lock being mounted on axially movable housings (24) connected to the central screw (16) and axially movable upon rotation of the central screw. A drum as required by claim 5 is therefore considered to be anticipated. Felten '218 discloses a very similar structure and thus likewise is considered to anticipate the claim 5 drum. As to claim 7, as already noted, it is not understood what is being referenced by this claim

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but in any event the Felten patents seem to possess equivalent motion capabilities to applicant's described drum in which the cone is axially movable by a piston and parts of the segments (e.g. plates "84" in Felten '218) are not axially movable. As to claim 8, this claim is read to require that the cone mechanism is not operatively connected to the bead locks, such clearly being the case for the Felten drums. In particular, although of course all the drum parts are part of the same drum (in both applicant's drum and the Felten drums) and thus could be described as "connected", a fair reading of this claim 8 requirement is that there is not an operative connection between these parts, this being shown by the Felten patents (note in fact the detailed description of the independence of the bead locks from the drum ramp/cone at col. 4, lines 14-28 of Felten et al.).

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilde et al. (US 4,131,500 - newly cited) taken in view of Byerley (US 6,457,505).

Wilde et al. discloses a tire building drum having a right hand side and a left hand side, the tire building drum comprising: a central screw (41/44); a central segment support mechanism having a plurality of radially expandable segments (8), said segments operated by cam followers (33) in engagement with conical cam surfaces (34), a pair of bead locks (13/40), each bead lock being mounted on axially movable housings (14) connected to the central screw (41/44) and axially movable upon rotation of the central screw, wherein the cone mechanism is not connected to the bead locks. This reference therefore is considered to suggest a drum as required by claim 8 except that the cam followers are part of the drum support for the segments rather than the segments, the cone being part of the segments. It however is known in this art to be

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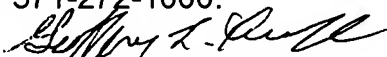
suitable and effective to effect radial expansion/contraction of tire drum segments by placement of the cam followers on the drum segments for engaging with conical drum segment support - Byerley is exemplary. To alternatively place the cam followers on the segments rather than the segment supports would therefore have been an obvious alternative manner of effecting the desired radial motion, such being expected to predictably provide the necessary and required motion capabilities.

8. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection necessitated by the amendments to the claims.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Geoffrey L. Knable  
Primary Examiner  
Art Unit 1733

G. Knable  
August 10, 2007